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**HF 2064** – Child Endangerment Resulting in Death (LSB5578YH)  
Analyst: Alice Wisner (Phone: (515) 281-6764) ([alice.wisner@legis.iowa.gov](mailto:alice.wisner@legis.iowa.gov))  
Fiscal Note Version – New

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**Description**

**House File 2064** addresses child endangerment resulting in the death of a child or minor.

**Background**

Currently, Iowa Code section **726.6(4)** states that a person convicted of committing child endangerment resulting in the death of a child or minor is guilty of a Class B felony and is required to be confined for no more than 50 years in prison. Prison time is mandatory and the offender becomes automatically eligible for parole.

This bill requires that anyone convicted of child endangerment resulting in the death of a child or minor serve a minimum of 70.0% of a 50-year Class B felony sentence. The average length of stay for a person convicted of child endangerment resulting in the death of a child or minor under current law is 55.4 months, or 4.6 years. This bill will make the minimum length of stay 420 months, or 35 years. The marginal cost for an additional inmate at a Department of Corrections prison institution is \$18.43/day, or \$6,750 a year.

**Assumptions**

- Charge, conviction, and sentencing patterns and trends will not change over the projected period.
- The law will become effective July 1, 2016. There is a six-month lag between enactment of the bill and when the first case will come through the process.
- There will be two convictions subject to a 70.0% minimum sentence each year under Iowa Code section **726.6(4)**.
- Revocation rates and other corrections policies and practices will not change over the projected time.
- The first persons convicted under the 70.0% minimum in FY 2017 will not fiscally impact the system until FY 2021.

**Minority Impact**

The minority impact is estimated to be minimal. In FY 2015, the only two individuals convicted under Iowa Code section **726.6(4)** were Caucasian. Refer to the Legislative Services Agency (LSA) **Minority Impact Statement Memo** dated January 26, 2016, for information related to minorities in the criminal justice system.

**Correctional Impact**

The average state cost for one Class B felony conviction ranges from \$9,600 to \$34,800. This is a rare crime and it is not expected there will be additional occurrences. The correctional impact will not impact the cost to the corrections system until year five (FY 2021) when offenders currently convicted of a Class B felony will be released from state prison under current law.

For additional information, refer to the LSA **Correctional Impact Statements Memo** dated February 18, 2016.

### **Fiscal Impact**

The additional fiscal impact will not be manifested until FY 2021. That is 4.6 years after an initial conviction under this bill (and also accounts for a six-month lag between enactment of the bill and the first possible case). Two additional convictions will be experienced yearly thereafter. The difference between an inmate serving 4.6 years and 35 years, with a marginal cost of \$6,750/year, increases the cost of each inmate convicted under this bill by \$204,400 over the 35-year sentence. The first five years of additional cost are estimated at:

- FY 2021 – \$13,500
- FY 2022 – \$27,000
- FY 2023 – \$40,500
- FY 2024 – \$54,000
- FY 2025 – \$67,500

### **Sources**

Department of Corrections  
Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Office of the State Court Administrator  
Office of the State Public Defender

/s/ Holly M. Lyons

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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